

**UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW HAMPSHIRE**

Evangelos Pashos

v.

Civil No. 06-cv-021-PB

CIGNA Corporation, et al.

O R D E R

Plaintiff moves for discovery or in the alternative to modify the administrative record. Defendants' response indicates that the records sought can be added by agreement or do not exist. Plaintiff's requests are determined as follows:

1. The 1983 policy is added to the administrative record by agreement;

2. The 1980's summary plan description cannot be located;

3. The proffered correspondence is added by agreement;

4. The referenced "vocational rehabilitation report" does not exist; and

5. Defendants are deemed to have admitted the loss of plaintiff's file as it existed prior to 1990.

The request to suspend LR 9.4 is denied.

SO ORDERED.



James R. Muirhead
United States Magistrate Judge

Date: April 24, 2006

cc: David S.V. Shirley, Esq.
William D. Pandolph, Esq.